

**GOVERNMENT OF INDIA
HUMAN RESOURCE DEVELOPMENT
LOK SABHA**

STARRED QUESTION NO:163

ANSWERED ON:15.03.2005

PRIVATE UNIVERSITIES

Badiga Shri Ramakrishna;Yadav Shri Baleshwar

Will the Minister of HUMAN RESOURCE DEVELOPMENT be pleased to state:

- (a) whether the Government is considering to bring any legislation to curtail the growth of private universities and to protect the interest of the students enrolled already in such universities;
- (b) if so, the details thereof;
- (c) whether the Supreme Court has recently declared some private universities in Chhattisgarh as illegal;
- (d) if so, the details thereof alongwith the reasons therefore;
- (e) whether similar universities are also functioning in other parts of the country; and
- (f) if so, the details thereof, state-wise?

Answer

MINISTER OF HUMAN RESOURCE DEVELOPMENT (SHRI ARJUN SINGH)

(a) to (f): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (f) OF THE LOK SABHA STARRED QUESTION NO.163 DATED 15.3.2004 ASKED BY SHRI BALESHWAR YADAV AND SHRI BADIGA RAMAKRISHNA REGARDING PRIVATE UNIVERSITIES

(a) to (f): The incorporation, regulation and winding up of Universities is within the competence of the State Legislatures. However, in order to maintain the standards of higher education, the UGC (Establishment of and Maintenance of Standards in Private Universities) Regulations, 2003 were issued on 27th December, 2003 and are in force. The Central Government has also initiated wider consultations in regard to Universities promoted in the Private Sector in the overall context of protection of the interests of students, financing of Higher Education and autonomy for institutions. Based on such consultations and examination by experts of the issues involved, a decision will be taken on the need for pursuing the Central Legislation on the subject, which was introduced in the Parliament and, if so, the need for any modification thereto.

The Supreme Court of India vide its order in Writ Petition (Civil) No.19/2004: Prof. Yash Pal & Ors. Vs. State of Chhattisgarh & Ors., dated 11 February, 2005 has declared the provisions of Sections 5 and 6, of the Chhattisgarh Niji Kshetra Vishwavidyalaya (Sthapana Aur Viniyaman) Adhiniyam, 2002, to be ultra vires of the Constitution. The Supreme Court has further directed that in order to protect the interests of the students who may be actually studying in the institutions established by such private Universities, the State Government may take appropriate measures to have such institutions affiliated to the already existing State Universities in Chhattisgarh, in terms of Section 33 and 34 of the impugned Act, whereunder responsibility has to be assumed by the State Government and, that the affiliation of an institution shall be made only if it fulfills the requisite norms and standards laid down for such purpose.

The State Government of Chhattisgarh has been requested to inform this Ministry whether any specific intervention is required to be taken by the Government of India in the matter. The UGC has also been requested to examine the judgment and its implications, particularly for bonafide students enrolled with these 'universities' so that, should the need arise, the Commission could be requested to take appropriate steps in the matter.

As on the 1st March, 2005 the following 'private universities' incorporated by the respective State Legislatures are functioning, under section 2(f) of the University Grants Commission Act, 1956: -

Gujarat

1. Dhirubhai Ambani Institute of Information and Communication Technology, Gandhinagar. (Incorporated under Gujarat Act No.6 of 2003)

2. Nirma University of Science & Technology, Sarkhej,
Ahmedabad. (Incorporated under Gujarat Act No.10 of 2003)

Himachal Pradesh

3. Jaypee University of Information Technology, Solan
District. (Incorporated under Himachal Pradesh Act No.14 of 2002)

Uttar Pradesh

4. Jagadguru Rambhadracharya Handicapped University,
Chitrakoot Dham (Incorporated under Uttar Pradesh Act No.32 of 2001)

5. Integral University, Lucknow (Incorporated under Uttar Pradesh Act No.9 of 2004)

Uttaranchal

6. Dev Sanskriti Vishwavidyalaya, Hardwar (Incorporated under Uttaranchal Act No.4 of 2002)

7. University of Petroleum and Energy Studies, Dehradun
(Incorporated under Uttaranchal Act No.15 of 2003)